

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

EDWARD SAWYER, on behalf of himself and all  
others similarly situated

Plaintiff,

v.

CITIMORTGAGE, INC.,

Defendant.

**ECF Case**

No. 08 Civ. 00222 (LTS) (HBP)

**STIPULATION AND ORDER**

Original Filed by ECF

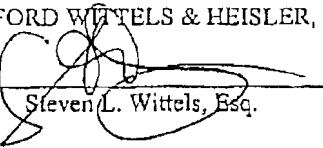
WHEREAS defendant CitiMortgage, Inc. ("CMI") filed and served a notice of removal pursuant to 28 U.S.C. §§ 1332, 1441 and 1446 on January 10, 2008, the date on which CMI's answer or other response to the complaint would have been due in the Supreme Court of the State of New York, New York County; pursuant to Fed. R. Civ. P. 81(c), the corresponding due date for CMI to file its answer or other response in this Court would be January 17, 2008; and no party has previously filed a request for an extension of time in this matter;

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for the parties to the above-captioned action, that the time for CMI to answer or otherwise respond to the complaint is extended through and including March 17, 2008. It is further STIPULATED AND AGREED that in so agreeing, plaintiff Edward Sawyer does not waive any right that he may have to remand this action, including the time within which to move for remand to state court.

Dated: New York, New York  
January 17, 2008

SANFORD WITTELS & HEISLER, LLP

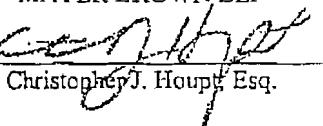
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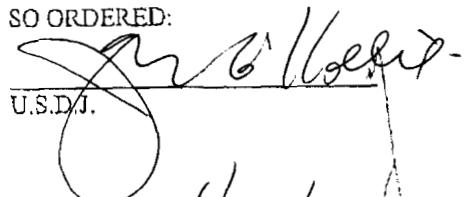
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*Attorneys for Defendant*

SO ORDERED:

  
U.S.D.J.  
1/29/08